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Restraints in Massachusetts Public Schools

A Thesis Presented

By

ELYCE HALL

MAY 2020

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Restraints in Massachusetts Public Schools

A Thesis Presented by:

ELYCE HALL

Submitted to the College of Graduate Studies

Bridgewater State University

Bridgewater, Massachusetts

In partial fulfillment of the requirement for the Degree of

Master of Science

in Criminal Justice

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Abstract

The purpose of this research study was to investigate the moral and legal issues around physically restraining students in Massachusetts public schools. As Massachusetts law is written, the use of restraints on a student should be the last possible resort. However, this thesis used data on restraint use from the Massachusetts Department of Education and a survey of school administrators to gain a better understanding of the 38,994 student restraints that were used in 2016-2017 school year. Findings of this study include that Hispanic and African-American students were more likely to attend schools that used restraints than those that did not. Also, students who were classified as high-needs, economically disadvantaged and disabled were more likely to attend schools that used restraints than schools that did not.

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Introduction

Physical restraints are used to de-escalate a situation where a child may cause harm to herself or others around her. However, researchers have investigated the intent of restraints and arguably could be corporal punishment (LeBel et al., 2012). In 2009, American Civil Liberties Union (ACLU) defined corporal punishment as “any punishment that is used and intended to cause some degree of pain or discomfort” (pg. 3).

In 1994, Howard Bath published an article on the basis of whether or not physical restraints are therapeutic. In 2012, the United States Department of Education stated, “There is no evidence that using restraint or seclusion is effective in reducing the occurrence of the problem behaviors that frequently precipitate the use of such techniques” (pg. 2.). The consensus among psychiatric professionals in the article appeared to support that physical restraints can cause more harm than good and do not serve a therapeutic service to a child (Bath, 1994).

Bath (1994) also wrote there is a difference between the use of physical restraint and holding techniques when attempting to calm a child. The argument in the article was that physical restraints, when used at the correct time, can provide a calming experience to the child because of the tight holding. Lebel et al., (2012) wrote “they are high-risk procedures that are employed in response to behavior that is violent, out of control, or dangerous to the self or others” (pg. 75).

While the tight holding that occurs during a physical restraint can calm the child, the question this study will attempt to answer is whether or not restraint is also used as a punishment. Professionals argue that physical restraint is a necessary approach to calm a child when all other options have been exhausted. However, in some cases the intention

may not be therapeutic. This has encouraged researchers to investigate whether physical restraints are being used for other purposes, such as punishing a child. To be precise, this study will investigate if restraining students might have been used as corporal punishment.

Corporal punishment could be explained where physical force is used and intentionally designed to cause pain or discomfort. Perhaps in some cases there is intended discomfort, however, the main goal for the teacher is to de-escalate the situation (LeBel et al., 2012). Due to the nature of this topic, there has been a recent expansion in research on restraints in schools. The United States Government Accountability Office (GAO) released a report in 2009 highlighting the injuries and deaths resulting from restraints and seclusions in public and private schools. Three years later in 2012, The Secretary of Education, Arne Duncan, released a robust letter concerning the importance of educators needing to understand the laws and policies around restraints.

The use of restraints can pose physical risks to students. Some cases in the 2009 GAO report included students with special needs who had been restrained. Author of the 2009 report Gregory Kutz wrote, “a sixth-grade special education student reportedly had his leg broken by the public-school teacher who was trying to restrain him” (pg. 6). Kutz wrote of another case stating, “a 12-year-old girl allegedly had her arm fractured by a special education teacher who put her in a “therapeutic hold”, described as being similar to a “bear hug” or a student’s arms behind her back (pg. 6). These two cases are a representation of how physical restraints could fall under corporal punishment, purposely causing harm or discomfort. These cases also support the research finding that special education students are more likely to be restrained in a school setting (Lebel et al., 2012).

It is imperative to understand the future consequences that could develop from restraining students. Children and adolescents go to school to learn and even some use it as a safe place away from home. By restraining students in a school setting their perception of and desire to go to school may change if they are restrained. By Massachusetts releasing physical restraint data, it is obligatory for researchers to advocate for students and investigate why thousands of students were restrained in the 2017-2018 school year.

Massachusetts appears to be the first state publicly to release data on how many students were restrained and how many times it occurred. In Massachusetts during the 2016-17 school year, there were 36,140 restraints with also a total of 384 injuries. According to this publicly available data, there was an increase in the 2017-18 school year, resulting in 38,994 restraints on students and a total of 697 injuries (Massachusetts Department of Elementary and Secondary Education, 2018).

Massachusetts has a state statute in place specifically guiding local school districts on physical restraints. Although there are states either developing new statutes to implement, or as of 2019 do not have any in place and are not working to develop any Alabama, Arizona, Indiana, Kansas and Kentucky are examples of states who as of 2012 do not have any state statutes in place regarding restraint and seclusions in public schools (U.S. Department Education, 2010).

This study focusing on Massachusetts public schools is unique because of what it has to offer future research. After conducting thorough research on states surrounding Massachusetts, it appears it is the only state that has released data on physical restraints in public schools. When this study is complete it will give state officials and educational

advocates an enhanced understanding of the moral and legal issues surrounding restraining students.

As of 2010 in a report released by the United States Department of Education, there were nineteen states that did not have state statutes or policies in place regarding restraints in public schools. Due to the alarming number of states, the U.S. Department of Education took action to set a standard for states to develop their own statutes. The National Disability Rights Network (NDRN) released a report providing an update to improvements and changes made by states. Nevertheless, the NDRN still wrote that 39% of the states still had no laws in place, and only 45% of states require schools to immediately tell parents if their child has been restrained (National Disability Rights Network, 2012).

LeBel et al., (2012) wrote that there was a clear state and federal disparity concerning restraints. Children who are restrained in mental health facilities are protected by the federal government, however, students who are restrained in schools are not. The absence of laws in the states demonstrate a clear issue and possible cases of mistreatment to students.

This topic is important because of who it affects. The population involved are students aged between six to eighteen years old. Not only is age significant, but within this population are students with mental, learning, emotional and behavioral disabilities. Research in this area can have a tremendous effect on future laws and policies. More importantly, research has shown that students with those disabilities are more likely to be restrained (Lebel et al., 2012).

The purpose of this study is to expand the literature on physical restraints in public schools. This will be accomplished by distributing a survey to Massachusetts

Superintendents and Principals. The research questions are as follow:

- 1) Which schools in Massachusetts have the highest number of student restraints?

Which have the lowest?

- 2) Are there certain demographics that correlate with schools that have a high use of restraint?
- 3) What are the goals and purposes of using restraints in a public-school setting?
- 4) What happens to a student after being restrained?

Literature Review

Definitions of Restraint

Every state has its own policies on the use of restraints in public schools and their own working definition of what they are. Verbiage varies in the definitions and policies differ with regard to when restraints are permitted to be used. For example, in Portland, Oregon, restraints are defined as the "...restriction of a student's movement by one or more persons holding the student or applying physical pressure upon the student." And in Portland, restraints may only be used when a student "imposes a reasonable threat of imminent, serious bodily injury to the student or others" (ORS 339.291).

New Jersey state law defined physical restraint the "...use of personal restriction that immobilizes or reduces the ability of a student to move all or a portion of their body" (New Jersey Code § Public Law. Chapter 291, 2018). Connecticut Department of Education just recently defined two separate types of restraints, physical restraint, and life-threatening physical restraint.

By clarifying and developing the definitions of the two restraints teachers know what is acceptable when restraining. Physical restraint "means any mechanical or personal restriction that immobilizes or reduces the free movement of a person's arms, legs or head, including but not limited to, carrying or forcibly moving a person from one location to another." Second, is Life Threatening Physical Restraint, which is defined as "means any physical restraint or hold of a person that (A) restricts the flow of air into a person's lungs, whether by chest compression or any other means, or (B) immobilizes or reduces the free movement of a person's arms, legs, or head while the person is in the prone position (Connecticut Code § Chapter 170 10-236b, 2018).

The most important definition of physical restraints to consider for this study in Massachusetts. The legal definition of physical restraint is “the direct physical contact that prevents or significantly restricts a student’s freedom of movement. Physical restraint does not include: brief physical contact to promote student safety, providing physical guidance or prompting when teaching a skill, redirecting attention, providing comfort or a physical escort” (603 CMR 46.02).

While the working definitions are important, the type of behavior that calls for a restraint are also noted. Peterson et al. (2007) wrote about several student behaviors such as noncompliance and leaving assigned areas. Other behaviors were disrespect, property destruction, disrupting the classroom, threatening, physical aggression and horseplay (Peterson et al., 2007).

In 2009, Peterson et al. discussed three different circumstances that states may or may not deem appropriate for use of restraint. The three behaviors were allowing for safety of student, self or others, allows for property damage and allows for escort remove from area. Twenty-seven states allow use of restraints for safety of the student and fifteen states allow use of restraint for property damage (Peterson et al., 2009). With consideration of viewing restraints as a form of punishment to those examples of behavior, students are at risk of falling into the school-to-prison pipeline.

School-To-Prison Pipeline

The school-to-prison pipeline (STPP) is an invisible trajectory that affects students who fall under vulnerable populations, specifically students of Color and/or with learning, mental and emotional disabilities. This occurs because of enhanced zero-tolerance policies, police presence in schools, use of physical restraints and routine

consequence policies (Beese & Martin, 2017). By enforcing punitive disciplinary actions and schools pushing adolescents into the juvenile justice system, they are more likely to be incarcerated in the future. Freeman (2007) wrote that juveniles who end up in the juvenile justice system have at least one suspension on their record. The STPP involves more than just the school. Policies that are in place give schools no choice but to refer students to the juvenile justice system.

Zero-tolerance refers to policies in place that automatically criminalize disruptive or negative behavior in schools (Khey, Pigot & Stearns, 2018). The behaviors are criminalized by enforcing suspensions or in some cases expulsions. Research has shown that students of Color are predominantly more affected by zero-tolerance policies than white students. Khey, Pigot & Stearns (2018) wrote that the first zero-tolerance policy was enacted in 1994, which was the Gun Free Schools Act. If a school received federal funding, they were forced to enact this policy. The Gun Free Schools Act of 1994 automatically expelled a student for one school year if they were caught bringing a firearm to school. This act later expanded to harshly punish students if they were caught bringing drugs or threatening other students. This act later included acts that were nonviolent such as disobeying teachers rules or acting disruptively in school (Khey, Pigot & Stearns, 2018).

The Gun Free Schools Act of 1994 is an example of how zero-tolerance policy works against the students rather than working with them. The harsh policies essentially push students out of the schools. Suh, Suh & Houston (2007) wrote that students who are suspended are 77% more likely to drop out of school. Heitzeg (2009) expanded on that

research and wrote that excessive suspensions and expulsions are one of the major causes of dropping out.

Harsh punishment and overuse of punitive discipline may be related to the topic of physical restraint. The school-to-prison pipeline could be viewed as the umbrella to how students are treated at school and the effects it can have. While physical restraint has the intention of being therapeutic, some research has argued it is a form of corporal punishment (LeBel et al., 2012; American Civil Liberties Union, 2009). In 2009, American Civil Liberties Union (ACLU) defined corporal punishment as “any punishment that is used and intended to cause some degree of pain or discomfort” (pg. 3). The connection to be made by researchers is whether or not students exposed to corporal punishment will fall victim to the school-to-prison pipeline.

In the 2009 report, ACLU and Human Rights Watch wrote about several cases that involved restraint which could have been classified as corporal punishment. A type of restraint that was apparently used on some students was called prone restraint. Prone restraint occurs when a student is pinned to the floor face down and their hands pulled behind their back. In the education culture, prone restraint could be deadly if administered incorrectly (American Civil Liberties Union, 2009).

The 2009 ACLU report also discussed that students who are excessively restrained are more likely to be students with disabilities. Human Rights Watch interviewed several families who have had experienced their school disciplining their child with corporal punishment, in those cases physical or prone restraint. The cases involved had extensive physical use to have full control over the student’s body. One

student explained the face-down restraint to his mother as, “one person on his back, one person on his feet. If he would raise his head, they’d force it back down” (pg. 24).

Another family interviewed had a daughter who suffered from bi-polar and anxiety disorders. The report wrote that when she was seven years old, she was placed in a hold for thirty to forty-five minutes, which resulted in bruising from her shoulder down to her wrist and broken blood vessels under her armpits (American Civil Liberties Union, 2009). These cases are imperative to clarify the difference between using physical restraint as a form of punishment rather than therapeutic. More importantly, the students receiving this form of corporal punishment could be struggling with behavioral, emotional and learning disabilities. Owen & Wagner (2006) wrote, “the use of corporal punishment in schools poses physical and psychological problems and is not effective as a disciplinary strategy” (pg. 473).

Corporal punishment could be happening yet be unclear to the student or their guardians. Cases previously explained included how there were bruises left on students. It could be assumed that there was excessive force and discipline used on them. The ACLU wrote in the 2009 report, “under human rights law, physical force may only be used against students where it is absolutely necessary to protect a child or others, and even then, the principle of the minimum necessary amount of force for the shortest period of time must apply” (pg. 3). That statement in the report could be arguing that cases where there is intentional harm that leaves bruises would not be the minimum necessary amount of force and could be categorized as excessive force and corporal punishment.

Corporal Punishment in School Settings

The different types of corporal punishment in public schools has changed throughout generations. Additionally, who was more likely subject to receive corporal punishment was not a topic until 1994 when a researcher investigated. Gregory (1995) wrote, “Until 1994, no national data disaggregated by race and gender were available to determine if African-American boys are indeed subjected to physical discipline at excessive rates” (pg. 454). The mid-to-late-1990’s arguably was the beginning of the discussion that children of Color in public schools were being disciplined with corporal punishment (Gregory, 1995).

In addition to the findings of Gregory (1995), Hwang, Jo Price, Marsh and McFadden (1992) discovered students of Color were receiving corporal punishment in a school district in South Florida. There are several debates regarding the use of punishment in schools. These debates argue what types of discipline and punishments are acceptable to use on students in any grade. Along with debates are court cases that set precedent for future policies and laws. One landmark superior court case that set precedent was *Ingraham v. Wright* (1977) which took place in Dade County, Florida in 1971.

***Ingraham v. Wright* (1977)**

In 1971, James Ingraham and Roosevelt Andrews attended Charles R. Drew Junior High School in Dade County, Florida. Andrews and Ingraham filed their own complaints on January 7, 1971, which consisted of three counts. The first two counts were with regard to the individual actions for damages, specifically wooden paddling incidents that occurred in October of 1970. The last count was a class action suit for

injunctive relief on behalf of all the students in Dade County, FL. In other words, the students petitioned to not allow corporal punishment to be used in Florida school anymore. The defendants in all three counts were administrative staff, specifically the principal and assistant principal at Charles R. Drew Junior High School, an assistant to the principal and the Superintendent to the Dade County Florida School District. At the time of this trial, 237 schools were allowed to use corporal punishment as a tactic to maintain discipline. According to Florida state law, this was legal and was allowed to be used without consulting the principal before inflicting the punishment (*Ingraham vs. Wright*, 430 U.S. 651, 1977).

The case summary explains the type of corporal punishment that was allowed. It was acceptable to hit a student on the buttocks with a flat wooden paddle that measured less than two feet long, three to four inches wide, and up to one and a half inches thick. There was one to five blows or hits to buttocks allowed per student and no physical injury. It was also noted in the summary that at this time that this form of corporal punishment was viewed to be less severe than suspension or expulsion (*Ingraham vs. Wright*, 430 U.S. 651, 1977).

Ingraham and Andrews each testified at the United States District Court of Southern District of Florida. Ingraham's testimony included the behavior that led to the punishment and description of the punishment. Ingraham explained that he did not answer a teacher quickly enough, which resulted in twenty blows to his buttocks while being bent over the principal's desk. This caused Ingraham to suffer from a hematoma which required medical attention and to not attend school for several days. Andrews

testimony explained that he was struck on the arm so hard that he was unable to use that limb for a full week (*Ingraham vs. Wright*, 430 U.S. 651, 1977).

The testimonies and their descriptions are significant to include because the District Court did not find them credible enough to grant petitioners requested relief. To be more specific, the District Court found no constitutional violation and that the schools were acting within the guidelines of Florida state law. Following this decision was an appeal. A panel of Court of Appeals judges in Florida decided that this was in fact a violation of the eighth amendment and that this form of punishment was severe. Although, when this was heard before the en banc court rejected the appeal and affirmed the decision from the original District Court hearing (*Ingraham vs. Wright*, 430 U.S. 651, 1977).

Ingraham v. Wright (1977) was heard by the United States Supreme Court. It was decided on April 19, 1997 that this form of corporal punishment was not a violation of the eighth amendment of cruel and unusual punishment. It was explained that this amendment was created and put in place to protect criminals convicted of a crime and it does not extend to disciplinary practices in public schools (*Ingraham vs. Wright*, 430 U.S. 651, 1977). While *Ingraham v. Wright* (1977) does not include the use of physical restraints in public schools, it emphasized the boundaries of punishment and what is allowed. Florida and nineteen other states currently still use corporal punishment in their schools.

T.W., a minor, by Tracy Wilson v. The School Board of Seminole County (2010)

For confidentiality purposes, the complainant's name in this case is referred to as T.W. and by his mother Tracy Wilson. T.W. was a student at a middle school in

Seminole County, Florida. Before the complaints are listed, it is important to explain T.W.'s mental, emotional and learning disabilities. During his childhood, T.W. was diagnosed with: anxiety disorder, separation anxiety disorder, major depressive disorder, dysthymic disorder, deceptive expressive language disorder, pervasive developmental disorder and was eventually diagnosed to be on the autism spectrum. Along with these disabilities, T.W. struggled with interpersonal relationship skills, impaired social and coping skills, anger issues and sensory issues as well. Due to these diagnoses and difficulties, he received special education care in the schools he attended (*T.W., by Tracy Wilson vs. School Board, 2010*).

T.W. was in an Autism disorder class in the afternoons that was taught by Kathleen Garrett. Teaching and assisting Garrett were two aids, Jennifer Rodriguez and Sabrina Mort, both which testified in this case. Kathleen Garrett had been a teacher in Seminole County for nearly a decade, working with students with mental disabilities. At the first school she worked, she had four official complaints against her before she requested for a transfer. The transfer was granted, and she began working at the middle school that T.W. attended. The school she transferred to was not made aware of the complaints filed against her in previous school years (*T.W., by Tracy Wilson vs. School Board, 2010*).

There were five incidents where Garrett used physical force against T.W. It was stated that Garrett would release T.W. from the restraint when he agreed to obey her instructions. Tracy Wilson found bruises on T.W. on two separate occasions. When asked where they came from, he answered they were from Garrett. It was noted that Garrett antagonized T.W. and made his mental and emotional state worse. Whereas the finding in

this case is important, it is also significant to recognize that this form of punishment is legal in Florida public schools. Granted, Kathleen Garrett at the time felt she was doing what she believed to be right: restraining T.W. was a legal form of corporal punishment in order to gain control of those situations (*T.W., by Tracy Wilson vs. School Board, 2010*).

In 2016, Gershoff and Font released an article on corporal punishment across the United States. As of 2016, it is still legal throughout nineteen states for schools to use corporal punishment for disciplinary purposes. The nineteen states are listed as: Alabama, Arkansas, Arizona, Colorado, Florida, Georgia, Idaho, Indiana, Kansas, Kentucky, Louisiana, Missouri, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas and Wyoming. North Carolina defined corporal punishment as “the intentional infliction of physical pain upon the body of a student as a disciplinary measure” (North Carolina Code, 115C-390.1, 2018). Because Massachusetts was not included in the nineteen states it made a good state to research.

North Carolina went into greater detail regarding which behavior resulted in the use of corporal punishment. In the 2016-17 school year, there were seventy-five instances where corporal punishment was used. The seven behaviors were: leaving/skipping school, insubordination, aggressive behavior, disruptive behavior, disorderly conduct, disrespect of staff and all others. Of those seventy-five occurrences, ten of the students had disabilities. More specifically, autism, specific learning disability, intellectual disability-mild, other health impaired, speech or language impairment and serious emotional disability (Department of Public Instruction, 2018).

South Carolina state law also stated that corporal punishment is still allowed in schools. South Carolina Code 59-63-260 specifically declared, “the governing body of each school district may provide corporal punishment for any pupil that it deems just and proper” (South Carolina Code § 59-53-260, 2015). Alabama state law also allows the use for corporal punishment, “teachers are hereby given the authority and responsibility to use appropriate means of discipline up to and including corporal punishment as may be prescribed by the local board of education (Code of Alabama (1975) §16-28A-1).

An issue may arise when determining whether physical restraint could be a form of corporal punishment. In 2011, Wasserman explained physical restraint is excluded from types of corporal punishment. Wasserman wrote that restraints are excluded due to the situations where they are deemed necessary, such as a student inflicting harm to themselves or making threats to schools’ staff or classmates (Wasserman, 2011).

By definition per the American Academy of Pediatric Emergency Medicine, physical restraint could also be referred to as therapeutic holding (Peterson, Robbins, Rozalski, & Ryan, 2009). The beginning of the perspective that physical restraints were a form of therapeutic treatment started in the mid-to-late 1800’s. Physical restraints were viewed as an adequate practice for dealing with psychiatric patients who were violent (Ferleger, 2008). There have been debates for the past few decades arguing whether physical restraints are therapeutic (Day, 2002). In some instances, Day (2002) wrote that physical restraints escalated the situation more, increased anxiety, agitated the student further and brought on more disruptive behavior.

Day (2002) wrote that some practitioners in this field see the negative side to restraining a child, however, it is necessary in some situations. For example, Arivett

(2015) wrote that students who experience sensory issues need physical contact, which could also be known as sensory diets. Sensory diets would be included in a student's Individual Education Plan (IEP) and would allow a teacher to make physical contact if need be. Although this physical contact could resemble a restraint it would be used solely for therapeutic purposes (Arivett, 2015). It could also be seen as dangerous to ban the use of restraints altogether because of the dangers some students pose. Day (2002) wrote that while physical restraints should be the last option used with a violent child, there are some occasions where it is necessary and without the option could be dangerous for both staff and child. Not only do some practitioners view physical restraint as a necessary form of therapy for some students, it would be difficult for the teachers to not be able to use it if they had too.

Arivett (2015) explained that with the advances in the Individuals with Disabilities Education Act (IDEA) and the guidelines within it, restraints are necessary. Also, within IDEA is Least Restrictive Environment (LRE), where school districts are including students with disabilities in day-to-day classrooms with students who do not have disabilities. This means that students with disabilities who would have been in special schools or programs specializing in their disabilities are in classrooms with teachers whose goal it is to teach all their students, disability or not (Arivett, 2015). The integration of students with disabilities into classrooms with students without disabilities calls for a greater potential need for restraints in public schools.

As stated previously, physical restraints were used in psychiatric facilities for therapeutic purposes. However, now this practice is used in public schools and on grade-school students. Day (2002) wrote that the use of physical restraints can have positive

clinical outcomes, yet those are not the goals of using them on students in schools. It also has been found that restraints could reinforce the poor behavior. If a student is in need of something like a sensory diet but is not regularly receiving the physical contact, perhaps restraining them could be a positive reinforcer to the student (Magee & Ellis, 2001).

Magee & Ellis (2001) argue that if there is no attempt to resolve the behavior that ends in physical restraint it could become problematic.

Students who are at higher risks to be restrained suffer from learning, mental and emotional disabilities (Connelly, Gagnon & Mattingly, 2017). Because of this, in 2004 the government developed the Individuals with Disabilities Education Act.

Individuals with Disabilities Education Act

In 2004, Congress reauthorized the Individuals with Disabilities Education Act (IDEA). There are several different components and parts that make this federal law functional at the state level. Part A covers all provisions of the act, such as definitions and paperwork reductions. Part B focuses on the funding, what states are eligible for funding and distributes it to the local levels. Part B also monitors the states. Part C includes infants and toddlers up to age two with disabilities. Part D conducts research for future improvements. These children and their families receive support and early intervention services through IDEA (United States Department of Education, 2017).

One of the main goals of IDEA is to ensure that every child in America receives an education. This is also referred to as free appropriate public education (FAPE). Essentially, IDEA governs how schools handle students with disabilities. IDEA was broken down into categories to help explain the purposes of the act. IDEA ensures that all children with disabilities have not only FAPE but also schools that stress special

education and other services that will specifically meet their needs. Also, the students will be helped to develop qualities that will help them with future employment and independent living. Another priority of IDEA is to guarantee that all parties' rights are not violated and that they are protected, including the children and the parents (United States Department of Education, 2017).

IDEA does not just provide for the children and parents, but it assists states to ensure that schools have the proper funding and resources to meet the needs of students. To follow through with all of the amendments in IDEA there must be appropriate funding, which IDEA seeks to support. Also, IDEA helps parents and teachers with the proper training and essential tools to advance their assistance and teaching with the students. In IDEA's 39th report to Congress on how it is being implemented, there was a whole section on research for future changes. Lastly, IDEA importantly investigates states to ensure children with disabilities are being treated properly (United States Department of Education, 2017).

In the 39th report to Congress, the Department of Education gave statistical data on how many students are placed in certain classrooms in each state. The report released data on racial populations being assisted by IDEA. Also, the report went back to data from 2008 and compared it to 2015 to determine how many students are still being served under IDEA. Included was how many special education teachers were employed state by state, and also broke it down by qualifications (United States Department of Education, 2017).

Title II of the Americans with Disabilities Act of 1990

The United States passed The Rehabilitation Act of 1973 and Americans with Disabilities Act in 1990. Section 504 is enforced in schools and are also known as 504 plans. United States Department of Education explained Section 504 as...”No otherwise qualified individual with a disability in the United States ... shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance” (United States Department of Education, 2010).

Section 504 and Title II legally protect students and ensure their rights are not being violated. These policies prohibit schools from discriminating against students, specifically when assigning students with disabilities to segregated classes or even facilities. If a student is placed in a separate facility for any special education reasons, by law the facility has to be comparable to schools where students with no disabilities are (United States Department of Education, 2010).

504 plans are essential when ensuring a student with disabilities receives the education they are entitled to receive by law. If a student with a disability is discriminated against in school, does not get the assistance required in order for her to be successful, or is removed from a class because of that disability then several laws are being broken. First, the school is not abiding by The Rehabilitation Act of 1973 and Americans with Disabilities Act of 1990. Second, the student’s civil rights are being violated (United States Department of Education, 2010).

Why do Research in Massachusetts?

Massachusetts has revealed information on every public school in the state. Some examples are how many students attend a school, student demographics and percentage

of students with disabilities in a school. On the Massachusetts Department of Education website, they have detailed reports covering many areas related to their student and teacher communities. For example, enrollment by grade for every school in the state, enrollment by race/gender, class size by race or ethnicity and a bigger section on student discipline. As for teachers, there are also reports for their performance, race, gender, and surveys (Massachusetts Department of Education, 2018).

This information is all publicly available data which has fueled this study. In a news article written in 2018, Massachusetts schools appear to be number one in the country (Waddick, 2018). The convenience of the publicly available data is not the only reason Massachusetts was the state chosen for this research, but also the demographics of the students and disciplinary actions was something to investigate. Whether that be suspensions or use of restraint on students, this raised questions.

Massachusetts appeared to be the first state in the country to disaggregate the use of restraint by school. It went further into revealing how many students were restrained, how many times and the number of injuries per school. The Massachusetts Department of Education also revealed the demographics for most public schools with categories such as first language not English, high-needs, students with disabilities, economically disadvantaged and also by ethnicity. These publicly available data will allow the opportunity to search for trends when using restraints in Massachusetts public schools (Massachusetts Department of Early and Secondary Education, 2018).

This research is important because it will investigate whether there are certain demographics who are more likely to be restrained. There are states that have released their demographics, but it may not be known how many times they have restrained

students. Because Massachusetts has released both sets of data, demographic and restraint statistics, it makes it a respectable state to research.

To investigate further into restraints in Massachusetts public schools, these four research questions will be answered. The research questions are as follow:

- 1) Which schools in Massachusetts have the highest number of student restraints?
Which have the lowest?
- 2) Are there certain demographics that correlate with schools that have a high use of restraint?
- 3) What are the goals and purposes of using restraints in a public-school setting?
- 4) What happens to a student after being restrained?

Methodology

Mixed Methods

The research design selected for this study was a mixed-methods approach; using both qualitative and quantitative methodologies. Stake (1995) argued there are three major differences between qualitative and quantitative methods. First, there is a discrepancy between clarification and understanding; second, the distinction between a personal and objective role for the researcher; and lastly, a difference between knowledge discovered and knowledge constructed (Stake, 1995). Camara et al., (2007) explained content analysis as being a “systematic, objective and qualitative and/or quantitative textual analysis that involves comparing, contrasting, and categorizing a set of data primarily to test hypotheses” (pg. 24).

There are some benefits to using a mixed-methods approach in a study. The combination of qualitative and quantitative methods is capable of answering multifaced questions (Lund, 2012). Qualitative and quantitative methods by themselves have their strengths but by combining them there is a greater possibility of increasing the validity of a research study. By allowing the participants to answer open-and-closed-ended questions, the analysis will consist of different perspectives (Lund, 2012).

Using mixed methods can assist in strengthening the analysis of the research study (Lund, 2012). The closed-ended survey questions do not allow to the participant to include any emotion, experience or perspective. On the contrary, the open-ended questions do allow for that, therefore, the analysis is made up of several different types of responses.

Two Sources of Data

There are two sources of data used in this thesis. An online questionnaire was distributed to Massachusetts public school principals, assistant superintendents and superintendents. The second source of data is publicly available information regarding physical restraints in public schools in Massachusetts. Utilized from that same source are data related to student demographics and the students attending.

secondary data. This thesis is also using secondary data released in 2018 by the Massachusetts Department of Education. Maxfield and Babbie (2015) wrote that analyzing secondary data has become increasingly important. The data is disaggregated into a spreadsheet classifying several things: the school, how many students attend, number of students restrained, total number of restraints and total number of injuries. These data are what essentially inspired this thesis and helped develop the research and survey questions.

The secondary data used will answer two questions in this study. The research questions are:

3) Which schools in Massachusetts have the highest number of student restraints? Which have the lowest?

4) Are there certain demographics that correlate with schools that have a high use of restraint?

The data retrieved from the Massachusetts Department of Education were used to answer research questions one and two. The survey responses that were answered by Massachusetts principals and superintendents were used to answer research questions three and four.

For the purpose of this thesis, the data retrieved from the Massachusetts Department of Education is used to determine whether or not there are trends or patterns between number of restraints and demographics of the school. This will be explained in more detail in an upcoming section. Also included in the schools' profile is percentages of students who are high-needs and/or economically disadvantaged.

There are some benefits to secondary data that are publicly available. For this project, it was swift and cheap to observe the data released by the Massachusetts Department of Education (Maxfield & Babbie, 2015). There was no wait time or application process to receive and observe these data, which was extremely beneficial. However, there are some disadvantages when using secondary data. A common issue is validity of the data (Maxfield & Babbie, 2015). For the purpose of this project, the data used were released by a government entity which could ensure that it is accurate. While the Massachusetts Department of Education should release truthful data, they are collecting it from the school districts. Therefore, if the school district did not convey accurate information then this would affect the validity of the data.

These data are easily accessible to the public and are found on the Massachusetts Department of Education website in statewide reports under assessment and accountability. These data are not only available to researchers, but also to the residents of Massachusetts. To be precise when looking for schools who restrain the most, there is an option to organize the data to observe schools who restrain the least or who restrained the most (Massachusetts Department of Elementary and Secondary Education, 2018).

survey of school administrators. Maxfield & Babbie (2015) define a survey to be “a data collection method that applies a standard instrument in a systematic way to

take measures from a large number of units” (pg. 234). For the purpose of this thesis, a survey was distributed to all Massachusetts public school principals, superintendents and assistant superintendents. The survey is comprised of both open and closed-ended questions. An open-ended question is when the respondent has to write his/her own answer. A closed-ended question is when the respondent chooses their answer. Examples of answers could be I agree, I strongly agree, I disagree and I strongly disagree.

One benefit to closed-ended questions is how easy they are to interpret. On the contrary, open-ended questions have to be coded prior to the analysis which could take a lot of time. Also, there is a stronger possibility of misunderstanding a respondent answer with open-ended questions (Maxfield & Babbie, 2015). An example of some the survey questions are:

- 1) Is there a follow-up procedure that takes place after a student has been restrained?

Please explain.

- 2) Does your school or district offer TEACHER training on the use of restraints

(check all that apply)?

- a. Yes, on the policies
- b. Yes, on the use of restraints
- c. No, there is no training at the school level

- i. Do you think the school or district should have a training?

1. Yes, on the policies
2. Yes, on the use
3. Yes, on both the policies and the use of restraint
4. No, this isn't necessary

3) Who, at your school, has the authority to restrain a student?

The survey is used to gain a better understanding of the data on physical restraints. When observing the data, survey responses and school demographics, it was hopeful that there was going to be a better explanation as to why 38,994 students were restrained in the 2017-18 school year. The questions ask about training, policies, procedures and follow-up actions that take place after a student is restrained.

In order to distribute this survey to all of the parties, the Institutional Review Board (IRB) at Bridgewater State University had to approve that this survey was ethical, not harmful in any way and was appropriate. Those who responded to the survey were professionals acting within their capacities.

Unit of Analysis

Babbie (2013) defines unit of analysis as, “the what or whom being studied. In social science research, the most typical units of analysis are individual people” (pg. 97). For this study, the unit of analysis is public schools in Massachusetts. Research in the schools is broken down by race, economic disadvantages and English language learners. The study investigates whether or not there is a relationship between schools who do restrain and those who do not.

Sample and Demographics

survey sample. There are two samples in this study. The first sample consisted of respondents that answered the survey. A survey was distributed via email to 1,977 principals and superintendents. Of the 1,977 that received the survey, 90 responded. Of the 90 respondents, 64 were principals and 4 were superintendents. The remaining

respondents did not classify themselves as a principal or superintendent. Of the 1,977 surveys distributed, 38 emails bounced from superintendents and 160 from principals.

Massachusetts Dept. of Education. The second sample in this study was composed of data derived from the Massachusetts Department of Elementary and Secondary Education website. There was a total of 1,846 public schools with a population of 954,034 students in the 2017-18 school year (Massachusetts Department of Education, 2018). In Massachusetts there are 1,111 elementary schools, 332 junior high/middle schools and 403 secondary/high schools. Of the 954,034 students: 9% are African-American, 6.9% are Asian, 20% are Hispanic, 60.1% are White and 3.6% are Multi-race/Non-Hispanic (Massachusetts Department of Elementary and Secondary Education, 2018).

Table 1

Number of schools in Massachusetts and Percentages of Demographics

# of Schools	% of Student Demographics
1,111 elementary schools	9% African American
332 junior high schools	6.9% Asian
403 high schools	20% Hispanic
N=1,846	60.1% White

See in Appendix A

Measures: Massachusetts Department of Education

The second sample that consisted of data from the Massachusetts Department of Education website was downloaded into SPSS as its own data set. This data set included 1,846 public schools and their demographics. Three different sets of data were

downloaded from the Massachusetts Department of Education website and merged to form the master data set. Every school has a designated school code by the Massachusetts Department of Education, used to identify each school. By using the school codes, the researcher was able to organize the master data set per each code. The following variables were used in the analysis:

Table 2

Variables Used in Analysis

Variables
School Code
Gender
Average Class Size
White
African American
Hispanic
Asian
% of high-needs
% of Economically Disadvantaged
% English not 1 st
% Disabled
% English Language Learner
See in Appendix B

Massachusetts Department of Elementary and Secondary Education have specific definitions to explain all of the variables besides race. The “first language not English”

designation refers to the percentage of enrollment whose first language is something other than English. “English learners” represent the percent of enrollment who are students “whose first language is a language other than English who unable to perform ordinary classroom work in English” (Massachusetts Department of Elementary and Secondary Education, 2018).

Students are classified as high-needs when “he or she is designated as either low income, economically disadvantaged, or English language learner, or former English language learner, or a student with disabilities” (Massachusetts Department of Education, 2018). Lastly, the percentage of economically disadvantaged students was “calculated based on a student’s participation in one or more of the following state-administered programs: The Supplemental Nutrition Assistance Program; the Transitional Assistance for Families with Dependent Children; the Department of Children and Families foster care program; and MassHealth” (Massachusetts Department of Elementary and Secondary Education, 2018).

In the data set the schools were coded as schools that did use restraints and schools who did not. More specifically, each school was categorized into a dichotomous variable; schools who restrained =1 and schools who did not restrain =0. This was specific to the data from the 2017-2018 school year. The schools were coded into dichotomous variables because only 129 schools restrained students, whereas the remaining public schools in Massachusetts did not. By coding these schools in a dichotomous manner, the researcher was able to investigate the 129 schools thoroughly.

Once this was complete the data set was split so there could be further analyses. To conduct the analyses SPSS was used. To find the mean of two sets of schools and the

variables, the researcher used descriptive analysis. Once completed, independent-samples t-tests were conducted to determine if there was statistical significance between the six variables and schools who did and did not restrain.

The six variables were percentage of white students, percentage of English language learners, percentage of students whose first language was not English, percentage of students who were economically disadvantaged, percentage of students who were considered high-needs and percentage of students who were disabled.

Content Analysis

Content analysis and coding were used when reviewing the open-ended responses. Berg (2007) explained content analysis to be objectively classifying special characteristics and the interpretations of messages (pg. 306). Berg (2007) wrote “Analysis of the data, once organized to certain content elements, should involve consideration of the literal words in the text being analyzed, including the manner in which these words are offered” (pg. 307). This technique was used to code the survey responses to discover any themes or patterns.

Open coding was used to evaluate each individual response. Berg (2007) explained open coding in four steps and guidelines, he wrote “(1) ask the data a specific and consistent set of questions, (2) analyze that data minutely, (3) frequently interrupt the coding to write a theoretical note, and (4) never assume the analytic relevance of any traditional variable such as age, sex, social class, and so forth until the data show it to be relevant (pg. 317). When reviewing survey responses, specific verbiage, themes and patterns were used to conduct an analysis.

Results

After retrieving the data, the researcher's expectation about the nature of the dependent variable for research questions one and two was confirmed. The dependent variable for research questions one and two was to be the total number of restraints in each school in the 2017-2018 year. It would be preferable to use a variable with a higher level of measure (to wit, a continuous variable). Univariate analysis of the variable (mean= 3.75, std. dev.= 24.116) showed that the variable was strongly positively skewed (skew= 17.426, s.e. of skewness= .057). As a result, the variable was dichotomized into schools that used restraints (n= 129) and those that did not (n=1718).

Research Question #1: Which schools have the highest number of student restraints and which have the lowest?

To investigate research question, schools that restrain and school that don't restrain were compared on the basis of seven variables measuring, race, economic disadvantage, high-needs, and disabled. A mean percent was obtained for each measure so that schools could be compared. Table 3 illustrates the results.

Table 3

Comparison of means for restraint used or no restraint

Variable	Restraint Used Mean %	No Restraint
White	48.5%	62.1%
African American	12.2%	8.5%
Asian	4.97%	6.36%
Hispanic	29.4%	18.9%
Eco Disadvantaged	51.2%	32.2%
High-Needs	64.8%	46.8%
Disabled	27.7%	18.1%

See in Appendix C

Table 1 presents the race ethnic identity of students in schools according the two categories of the dependent variable. For example, for schools that restrained, the average percentage of students that identified as Hispanic was 29.4%. In comparison, the average percentage of Hispanic students that did not restrain was 18.9%. African-American students who attended schools that used restraints had a mean of 12.2% whereas schools that did not restrain at 8.5%. Similarly, in schools that restrained, 48.5% of the students were white in comparison to schools that did not restrain at 62.1%. The difference in these means show that white students are more likely to attend schools that did not use restraints.

The analysis demonstrated what schools that did use restraints and did not look like. Schools that restrained appeared to have a relatively high percentage of African-

American and Hispanic students relative to those that did not. In sharp contrast, the opposite appeared to be true for students who identified as White or Asian.

A similar dynamic appeared to operate with regard to class and percentage of students with special needs. Economically disadvantaged students attended schools that used restraints had a mean of 51.2% in comparison to 32.2.%. High-needs students attended schools that used restraints had a mean of 64.8% whereas schools that did not restrain had a mean of 46.8%. Lastly, disabled students attended schools that restrained had a mean of 27.7% in comparison to 18.1%. The difference in the three means show that these students who are classified into these categories attended schools that used restraints more than schools that did not. To answer the research question, white students count for a larger percentage of the schools that did not use restraints than other minorities such as Hispanic or African American.

Of the 1,846 schools, only 129 restrained students in the 2017-2018 school year. Table 4 illustrates how many elementary, middle and high schools, also public or charter, restrained students. Some schools consisted of grades K-8, Pre-Kindergarten, grades K-12, grades 6-12 and grades 1-11. When narrowing down what grade schools restrained it appeared there were four schools that were no longer open. Table 4 illustrates only 124 schools because the researcher was unable to determine what grade level the four closed schools that restrained were.

Table 4

Illustration of Schools with Grade Levels that Restrained

Grade Level	Total That Restrained	Public School	Charter School
Pre-Kindergarten	2	2	0
Elementary	80	80	0
Middle School	16	16	0
High School	4	3	1
K-8	11	7	4
K-12	11	7	4
1 st -11	1	1	0

See in Appendix D

Research Question #2: Are there certain demographics that correlate with schools that have a high use of restraint?

Six independent-samples t-test analyses were run to determine if there was a statistical significance between schools who restrain and schools that don't restrain. The results for these analyses are presented in Table 5. The five variables were: percentage of White students, percentage of English language learners, percentage of students where English was not their first language, percentage of students whom were economically disadvantaged and lastly, the percentage of students whom were disabled. Independent-samples t-test were chosen because it was sought to determine if schools that restrained were nontrivially different demographically from those that did not.

Table 5

Analysis of restraint used or no restraint (descriptive analysis and independent t-test)

Variable	Restraint Used	No Restraint	<i>t</i>	State Average
% White	48.5%	62.1%	5.10***	60.1%
% ELL	14.1%	10%	-3.27***	10.2%
% English not First	22.8%	19%	-2.28*	20.9%
% Eco Disadvantaged	51.2%	32.2%	-9.15***	32%
% High-Needs	64.8%	46.8%	-8.74***	46.6%
% Disabled	27.7%	18.1%	-4.41***	17.7%

* $p \geq .05$ ** $p \geq .01$ *** $p \geq .001$

The results of the first independent t-test for the difference between percent white in schools that restrain vs. schools that don't restrain are presented in Table 5. The mean percent of white students in schools that restrain was 48.5% and the mean percent of white students in schools that did not restrain was 62.1%. The difference produces a t-test of 5.10 which is statistically significant at the $p \geq .001$. Schools that restrained a student or students in the 2017-2018 school year were more likely to have a lower percentage of white students than schools who did not restrain a student or students.

The results of the second independent-samples t-test for the difference between percent English language learners in schools that restrain vs. schools that don't restrain are presented in Table 5. The mean percent of English language learners in schools that restrain was 14.1% and the mean of percent of students in schools that did not restrain

was 10%. The difference produces a t-test of -3.27 which is statistically significant at the $p \geq .001$. Schools that restrained a student or students in the 2017-2018 school year were more likely to have a higher percentage of English language learner students than schools who did not restrain a student or students.

The results of the third independent-samples t-test for the difference between percent English was not their first language in schools that restrain vs. schools that don't restrain are presented in Table 5. The mean percent of English not first language in schools that restrain was 22.8% and the mean percent of students in schools that did not restrain was 19%. The difference produces a t-test of -2.28 which is statistically significant at the $p \geq .001$. Schools that restrained a student or students in the 2017-2018 school year were more likely to not speak English as their first language than schools who did not restrain a student or students.

The results of the fourth independent-samples t-test for the difference between percent economically disadvantaged in schools that restrain vs. schools that don't restrain are presented in Table 5. The mean percent of economically disadvantaged students in schools that restrain was 51.2% and the mean percent of economically disadvantaged in schools that did not restrain was 32.2%. The difference produces a t-test of -9.15 which is statistically significant at the $p \geq .001$. Schools that restrained a student or students in the 2017-2018 schools year were more likely to have a higher percentage of economically disadvantaged students than schools who did not restrain a student or students.

The results of the fifth independent-samples t-test for the difference between percent high-needs in schools that restrain vs. schools that don't restrain are presented in Table 5. The mean percent of high-needs students in schools that restrain was 64.8% and

the mean percent of high-needs students in schools that did not restrain was 46.8%. the difference produces a t-test of -8.74 which is statistically significant at the $p \geq .001$.

Schools that restrained a student or students in the 2017-2018 schools year were more likely to have a higher percentage of high-needs students than schools who did not restrain a student or students.

The results of the sixth independent-samples t-test for the difference between percent disabled in schools that restrain vs. schools that don't restrain are presented in Table 5. The mean percent of disabled students in schools that restrain was 27.7% and the mean percent of disabled students in schools that did not restrain was 18.1%. The difference produces a t-test of -4.41 which is statistically significant at the $p \geq .001$. Schools that restrained a student or students in the 2017-2018 schools year were more likely to have a higher percentage of disabled students than schools who did not restrain a student or students.

Ultimately, the independent-samples t-test of each variable showed statistical significance. It demonstrated that a student classified in one of these variables is more likely to be restrained than not. Schools that are non-white, economically disadvantaged, and have more disabled and high-needs students statistically restrained more in the 2017-2018 school year.

Survey Responses

Survey responses were used to answer research questions three and four. The survey consisted of sixteen questions asking about several topics regarding the use of restraint in public schools.

Research Question #3: What are the goals and purposes of restraining a student in a public school?

To investigate research question 3, results from question *do you think student restraint is a necessary part of education today?* Respondents could answer yes or no and then follow up by writing in a response. The majority of respondents, 58.2% or 69 responded *yes*, restraint use is necessary, and 14.8% or 12 respondents reported *no*, restraint use is not a necessary part of education today.

In analyzing the qualitative responses to this question three main themes emerged within those who agreed that restraint use is a necessary part of education. These themes were *safety*, *changing children*, and *de-escalation*. The theme *safety* was the most common theme among those who agreed restraint use was necessary. Respondents mentioned the term *safety* thirty-one times. Administrators who wrote about safety as being why restraints were necessary stated “If a student is a danger to him or herself or others. Restraints would be for safety reasons only” and “to keep the child safe or other children or staff safe.”

Administrators also discussed *changing children* as a reason why restraints are necessary. Respondents mentioned *changing children* in their responses six times. This could be interpreted as the demographics or behaviors children exhibit. Examples of respondents’ answers were “changing populations of students” and “because we are keeping more explosive, deregulated students in district”. Lastly, a difference response wrote “because the students have changed and will strike out at us with barely a moment’s notice. There is NOT always obvious antecedent a known paht (sic) to divert so these behaviors are curtailed.”

Finally, *de-escalation* was a concern among administrators. Respondents mentioned *de-escalation* four times. This theme appeared to be combined with the safety of students often. For example, “If a student cannot be safely de-escalated and may truly hurt themselves or others, there may be a reason but it should always be used as an absolute last resort. The deescalation (sic) training of staff is vital” and “Only used as a last resort method to maintain student safety. Deescalatuon (sic) should be used first.”

With regard to the administrators who disagreed, the theme that emerged was also *de-escalation*. Respondents stated the term *de-escalation* four times. For example, “Descalation (sic) strategies and building relationships with students matter” and “Deescalation (sic) techniques are must more effective. Being proactive and having things in place to help with the child not having a melt down (sic) is best practice and make the difference.”

Research Question #4: What happens to a student after being restrained?

To investigate research question 4, results from the question *Is there a follow-up procedure that takes place after a student has been restrained?* The respondents were allowed to answer with open-ended responses. In analyzing the qualitative responses three main themes emerged, which were *debriefing*, *contacting parents/guardians/families* and *contacting the nurse*.

The theme *debriefing* was the most common among the responses and was mentioned thirty-two times. For example, “debrief with students, debrief with staff, notify the nurse if needed, complete documentation, notify parent” and “Yes, we do a debriefing. Staff fill out a form immediately after the even and them (sic) we meet 24-48 hours later to debrief.” Administrators also discussed the notification of parents and

families of students that had been restrained. The theme *contacting parents/guardians/families* was mentioned thirty-one times. For example, “Yes, paperwork is filled out. Parents are notified and asked to come to the school to discuss. The team will debrief. Central office files the appropriate paperwork with the state” and “Debriefing of the restraint with the Team. School and District Documentation and Communication to the families.”

Finally, the last theme that emerged within these responses was notifying the nurse to check on the student that had been restrained. The term *nurse* was mentioned in nine responses. For example, “Nurse is called to check student. Staff debrief. Parent called. Paperwork completed” and “Staff review incident and make any necessary changes to student behavior plan. Any injury to a student or staff member is seen by the nurse.”

Discussion

The purpose of this research study was to investigate the moral and legal issues around physically restraining students in Massachusetts public schools. Also, observing different emerging patterns with using the responses from the survey to principals and superintendents. While tying all of this together, as stated in the literature review, it was clear that corporal punishment may be still used a punishment tactic in schools.

The quantitative analysis revealed there is a clear correlation between student demographics (i.e. African-American, Latino & white) and physical restraints. Findings also showed that a majority of the schools that did restrain taught grades K-8. As noted in the literature review, corporal punishment was a tactic used in public schools in the 1900s. Certain demographics were more likely to receive corporal punishment, which supports the concept that it is still present in schools today with the use of physical restraint.

The findings showed that schools that did restrain had higher percentages for students of Color than white students, specifically Hispanic and African-American students. Students who were categorized as high-needs, economically disadvantaged and disabled on average were more likely to attend schools that restrained than those that did not.

The findings also revealed that schools that did not restrain had a higher percentage of white students than schools that did restrain. On the contrary, Hispanic and African-American students were more likely to be restrained. Also, students that were categorized as high-needs, economically disadvantaged and disabled were more likely to be restrained.

The results for research question three revealed that many school administrators agreed that the use of physical restraints is necessary in public schools today. The three themes that emerged from these questions were *safety*, *changing children* and *de-escalation*. To expand on *safety*, many of the responses showed concern for not only students but the faculty and staff involved in the restraint. Also, the safety for those surrounding the incident but not directly involved appeared to raise concerns for respondents as well. In regard to *changing children*, the respondents suggested that the population of students attending public schools are different than those from the past. The specifics of how students have changed was left for interpretation because no examples were given. Lastly, *de-escalation* was included in responses which suggested that respondents would use tactics to prevent restraints from occurring.

The data suggests that corporal punishment could still be present in public schools today. The research explaining the population most vulnerable to corporal punishment aligns with the students who are more likely to be restrained in public schools (Gregory, 1995). Physical restraints arguably are a therapeutic response, which may be true in some cases, but the data from research questions one and two suggest that only some populations are being restrained.

In a 2018 report to Congress written by the United States Department of Education on the implementation of IDEA, it was stated “For the students ages 6 through 21 served under *IDEA*, Part B, in 2016, *specific learning disability* was the most prevalent disability category, or as prevalent as any other category, for every racial/ethnic group” (United States Department of Education, pg. xxvii). The report also revealed that in 2016, 6,048,882 students ages 6 through 21 were served under IDEA, Part B (pg.

xxiv). Of the 6,048,882 students served under Part B of IDEA, 38.6% or 2,333,960 suffered from *specific learning disability*. These statistics are important to the findings of this study because it demonstrates that a large portion of students in America struggle from at least one learning disability.

The statistics from the 2018 United States Department of Education report help support the concept that with the high number of students with disabilities across the country, statistically student restraints use should be even among race and disability. In other words, restraint use in Massachusetts should not have been confined to only 129 of the 1,846 public schools. It raises concern of why only 129 public schools in Massachusetts restrained students in the 2017-2018 school year. To be more specific, it raised questions around whether or not restraints were used for other purposes than them being therapeutic?

Some would argue that the use of restrains is necessary (Wasserman, 2011). Arguing that there are therapeutic uses within certain populations of special needs students (Arivett, 2015). However, these needs strike children of ages and backgrounds regardless of income and race (Gregory, 1995). As a result, you would not expect the demographic differences between schools that restrain and those that don't.

Restraining students repeatedly with no plan to resolve the behavior could become problematic (Magee & Ellis, 2001). Arguably, this could be a pathway of how corporal punishment could lead students into the school-to-prison-pipeline. Mallet (2017) wrote "This pipeline disproportionately affects and involves certain child and adolescent groups: those who experience poverty, students of Color, students who have special education disabilities, children and adolescents who have been traumatized or maltreated,

and young people who identify as lesbian, gay, bisexual, and transgender (LGBT) (pg. 571). Physical restraints can be violent and traumatic to a student and could ultimately cause more issues. Importantly, the students who are more likely to be restrained are already susceptible to the school-to-prison-pipeline and responding to their behavior with a physical encounter may only increase these chances.

If restraining students did offer therapeutic responses, the findings would have shown restraint use to be among all races, although this was not the case. Students who were Hispanic, African-American and high-needs were restrained more than White students. This allows the connection to be made that by restraining students of Color and students with disabilities more that these students are more likely to fall victim to the school-to-prison pipeline.

The analysis revealed that a majority of the schools restraining students teach grades K-8. This raised concerns because of the ages of students who are being restrained. Massachusetts state law wrote that physical restraints should be used as the last possible in any given situation. Red flags were raised when realizing the students who were being restrained in large numbers were in elementary school. It is difficult to believe that each and every time a young student was restrained in the 2017-2018 school year that de-escalation strategies were used to their full potential beforehand. The data suggests that not only are vulnerable populations more likely to be restrained, but the grade they are in is a contributing factor as well.

Some unexpected results were the answers about changing children in schools. Trying to interpret what the respondent meant from this raised concern. It is difficult to imagine that the respondent is referring to the race of students, among other things as

well. The survey question asked respondents why physical restraints were necessary in public schools and it was unexpected to see results referring to students changing as their reasoning why.

The moral issues that arose during the analysis was the inclusion of high-needs and disabled students being restrained. There have been decades of advocacy for all students to ensure everyone's receives the same education. A student with learning disability is entitled to the same education as a student with no learning disability. This all includes how students are being treated during school hours. Students who are classified as high-needs or disabled and are being restrained numerous times are being stripped of their rights. Legally, there should be strategies in place to prevent restraints from being used on students with disabilities, but the data show this may not be happening.

Future Research

An area that researchers could focus on in the future could be who is being restrained in schools. Also, more research conducted on populations of students being restrained in other states. Currently, there is limited publicly available data with which to compare Massachusetts. By conducting research in other states, it will help professionals in the education field develop a better understanding of who is more at risk of being restrained in schools.

Limitations

A limitation of this study was lack of data with which to compare Massachusetts. Upon extensive research, it appeared no other state has broken down and released data on

restraints like Massachusetts. This made it difficult to observe where Massachusetts fits in regard to if they are restraining students more or less than other states.

Another limitation was the minimal number of survey responses. The survey was distributed via email to 1,977 participants and only 90 responded. This may have affected the strength of the responses in the analysis. If more participants responded to the email, there may have been different themes or patterns when conducting the qualitative analysis.

Policy Suggestions

Throughout the study several concepts arose for policy suggestions. While the survey responses revealed that training is taken seriously, the type of training that was required or offered raised questions. When conducting the quantitative analysis, it appeared that the issue around restraining students is more isolated than statewide. This is due to the small number of schools that used restraints in the 2017-2018 school year, $n=129$. While state policies in place per Department of Education mandated training, it is recommended the type of training per school vary.

It is suggested that schools that restrained in the 2017-2018 school year receive more hands-on training. Assuming that each restraint was used according to Massachusetts state law, perhaps the decision making made by teachers or staff on when to restrain could be included in training. The goal of offering different training to the schools that did restrain excessively is to reduce the number of restraints used in public schools.

Considering the findings from the quantitative analysis, it is suggested that vulnerable populations and students of Color receive more advocacy post-restraint. The

findings revealed Hispanic and African-American students were more likely to attend schools that used restraints than did not. It is imperative these students feel represented and cared for regardless of the type of behavior they exhibit. An educational advocate solely representing the student may help the student feel valued, which could help them in their future successes.

A different policy suggestion would be mandatory aftercare for a student post-restraint. The survey responses in this study showed that not all respondents mentioned the student when asked about follow-up care. While behavior that calls for a restraint can be overwhelming to those involved, the restraint process can be traumatic for the student as well. After reviewing the findings for this study, it is suggested that schools develop mandatory and satisfactory care for a student post-restraint.

Follow-up care for the student could vary depending upon age. Considering more than half of the schools who used restraints were elementary schools, the follow-up care would look different for those students than in middle school. Children in elementary school can struggle identifying their emotions which could have led to the need for restraint in the first place. Although, helping youth understand that outburst-like behavior could end with them being restrained could help them in the future. The type of follow-up care provided should be age and developmentally appropriate.

The follow-up care for students when considered should be thought of having long-term benefits. If students are restrained several times, relationships with teachers or staff may weaken as school years pass. The goal for improved follow-up care is not only to stop needing the use for restraints but to improve a students' educational experience all around. If considering the elementary students who have been restrained, they still have

plenty of education left before graduating high school. The follow-up care could not only improve relationships, but the behavior that required a restraint as well. Children in elementary school are experiencing major developmental leaps and perhaps students who exhibit out-burst like behavior will respond positively to more involved follow-up care.

Conclusion

This research study focused on understanding why there was 38,994 student restraints in Massachusetts public schools. Research was conducted on previous published literature on the use of restraints to help explain the findings. It was discovered in the analysis that vulnerable populations, such as Hispanics and African-American students were more likely to attend schools that used restraints than those that did not. Also, students who were classified as high-needs, economically disadvantaged and disabled were more likely to attend schools that used restraints than schools that did not.

Separate findings were derived from survey responses. It was concluded upon the responses that training for teachers and staff on use of restraint is prioritized. However, when conducting the qualitative analysis of the responses, follow-up care for students post-restraint could use improvement. The policy suggestions explained were compiled from reviewing current literature on this topic in conjunction with the findings from this study. The goal of this research study was to utilize the findings and offer suggestions to schools who restrained students in the 2017-2018 school year.

This is an important topic to research because of those affected. A student's ethnicity should not be a risk factor for excessive punitive punishment. This also goes for a student with a learning, emotional or mental disability. Every student should attend school and feel safe and not wonder if a teacher or faculty member will physically

restrain them. The findings for this study could help develop future research on corporal punishment. Also, this study can help advocates protect students and ensure they receive their education safely.

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Appendix A

Table 1

Number of schools in Massachusetts and Percentages of Demographics

# of Schools	%’s of Student Demographics
1,111 elementary schools	9% African-American
332 junior high schools	6.9% Asian
403 high schools	20% Hispanic
N=1,846	60.1% White

Appendix B

Table 2

Variables Used in Analysis

Variables
School Code
White
Gender
African-American
Hispanic
Average Class Size
Asian
% of high-needs
% of Economically Disadvantaged
% English not 1 st
% Disabled
% English Language Learner

Appendix C

Table 3

Comparison of means for restraint used or no restraint

Variable	Restraint Used Mean %	No Restraint
White	48.5%	62.1%
African-American	12.2%	8.5%
Asian	4.97%	6.36%
Hispanic	29.4%	18.9%
Eco Disadvantaged	51.2%	32.2%
High-Needs	64.8%	46.8%
Disabled	27.7%	18.1%

Appendix D

Table 4

Illustration of Schools with Grade Levels that Restrained

Grade Level	Total That Restrained	Public School	Charter School
Pre-Kindergarten	2	2	0
Elementary	80	80	0
Middle School	16	16	0
High School	4	3	1
K-8	11	7	4
K-12	11	7	4
1 st -11	1	1	0

Appendix E

Table 5

Analysis of restraint used or no restraint (descriptive analysis and independent t-test)

Variable	Restraint Used	No Restraint	<i>t</i>	State Average
% White	48.5%	62.1%	5.10***	60.1%
% ELL	14.1%	10%	-3.27***	10.2%
% English not First	22.8%	19%	-2.28*	20.9%
% Eco Disadvantaged	51.2%	32.2%	-9.15***	32%
% High-Needs	64.8%	46.8%	-8.74***	46.6%
% Disabled	27.7%	18.1%	-4.41***	17.7%

* $p \geq .05$ ** $p \geq .01$ *** $p \geq .001$

Appendix F

Dear School Administrator,

You are invited to participate in a survey about policies and training regarding the use of restraint in schools. If you decide to participate in this study, your participation will involve answering fourteen open and closed ended questions. The survey will take roughly twenty to thirty minutes to fill out. Although you may not personally benefit, this study is important to science/society because this is a subject that does not have a large amount of information in the literature. Also, this could help the future development of policies and training. There are no foreseeable risks, and you may refuse to answer particular questions or withdraw from this study at any time. Your confidentiality will be kept to the degree permitted by the technology being used. If you agree to participate, please click on the link below to continue to the survey. You will have the option to refuse to answer individual questions and may change your mind and leave the study at any time without penalty. If choose to withdraw from the survey, your information will not be saved.

{LINK}

This project has been reviewed and approved by Bridgewater State University Institutional Review Board. If you have any questions about this survey please contact:

Elyce Hall, Candidate for M.S. in Criminal Justice at Bridgewater State University
E3hall@student.bridgew.edu

Or

Dr. Jennifer Hartsfield, Associate Professor of Criminal Justice at Bridgewater State University
jhartsfield@bridgew.edu

Appendix G

IRB Approval



September 10, 2019

Dr. Jennifer Hartsfield
Associate Professor, Criminal Justice
Maxwell Library, Room 311C

Re: IRB Application Approved – Case #2020022

Dear Jennifer:

This letter is to inform you that the Institutional Review Board (IRB) has approved (*expedited*) the research project titled, “*Restraints in Massachusetts Public Schools*.”

The approval for your study is active for a period of one (1) year from the date of this letter. You are expected to adhere to the procedures as outlined in your proposal. Any changes in procedures, protocol, or the consent form will require the approval of the Institutional Review Board.

As the principal investigator, you have primary responsibility for protecting the rights and welfare of human research subjects and for complying with the provisions of the Institutional Review Board.

Best wishes on your research project. Please contact me if you have any questions.

Sincerely,

Dr. Elizabeth Spievak
Chair, Institutional Review Board

Cc: Elyce Hall

Appendix H

For the last 2 years the Commonwealth of Massachusetts has made data on restraint use in public schools publicly available, see

<http://profiles.doe.mass.edu/statereport/restraints.aspx>

As defined by the Commonwealth of Massachusetts, restraint use is defined as a temporary touching or holding, without the use of force, of the hand, wrist, arm, shoulder, or back for the purpose of inducing a student who is agitated to walk to safe location.

The following questions are designed for us to learn more about the policies, processes, and attitudes about the use of restraints in your school.

- 1) Does your school have a written policy on the use of restraints?
 - a. Yes
 - i. If yes, what is this policy
 - b. No
- 2) Does your school or district offer TEACHER training on the use of restraints (check all that apply)
 - a. Yes, on the policies
 - b. Yes, on the use of restraints
 - c. No, there is no training at the school level
 - i. Do you think the school or district should have a training?
 1. Yes, on the policies
 2. Yes, on the use
 3. Yes on both the policies and the use of restraint
 4. No, this isn't necessary
- 3) Does your school or district offer STAFF training on the use of restraints (check all that apply)
 - a. Yes, on the policies
 - b. Yes, on the use of restraints
 - c. No, there is no training at the school level

- i. Do you think the school or district should have a training?
 1. Yes, on the policies
 2. Yes, on the use
 3. Yes on both the policies and the use of restraint
 4. No, this isn't necessary
- 4) If you answered yes to any of the training questions, how is training handled? Who does the training, how often is training given, and do you think the training is sufficient? Please include any other information on training you think is relevant.
- 5) Do you take an active role in the process after a student has been restrained?
 - a. Yes-please explain your role?
 - b. No
- 6) Who, at your school, has the authority to restrain a student?
- 7) Is there a follow-up procedure that takes place after a student has been restrained? Please explain.
- 8) What is the procedure if a student is restrained in their classroom?
- 9) If a student is restrained in a classroom, is there follow-up care given to other students in the classroom? Please explain.
- 10) Are there separate protocols in place for restraining students with special needs? Please explain.
- 11) Did your school restrain a student during the 2017-2018 School Year?
 - a. Yes
 - i. How many?
 - ii. What percentage of these students were served by an IEP plan?
 - b. No
- 12) Do you think that student restraint use is a necessary part of education today?
 - a. Yes, Why?
 - b. No, Why?
- 13) What is your school district or school?
- 14) What is your position or title?